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NOTICE OF ALLOWANCE AND FEE(S) DUE

26171 7590 05/20/2009

FISH & RICHARDSON P.C.
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER

ANDERSON, FOLASHADE

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 05/20/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,387	08/06/2003	Sev K. H. Keil	24491-000-4001	1201

TITLE OF INVENTION: SYSTEM TO QUANTIFY CONSUMER PREFERENCES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	08/20/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

26171 7590 05/20/2009

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

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nonprovisional	YES	\$755	\$300	\$0	\$1055	08/20/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
ANDERSON, FOLASHADE	3623	705-010000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are submitted:

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- Issue Fee
- Publication Fee (No small entity discount permitted)
- Advance Order - # of Copies _____

- A check is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS; SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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ART UNIT		PAPER NUMBER		
3623				DATE MAILED: 05/20/2009

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 536 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 536 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No. 10/635,387	Applicant(s) KEIL ET AL.
	Examiner FOLASHADE ANDERSON	Art Unit 3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to Applicant's amendment filed 02/23/2009.

2. The allowed claim(s) is/are 13,19 and 25-40.

3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some* c) None of the:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) hereto or 2) to Paper No./Mail Date _____.

(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____. | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/Andre Boyce/
Primary Examiner, Art Unit 3623

DETAILED ACTION

Response to Amendment

1. The following is in response to Applicant's amendment filed February 23, 2009.
Claims 13 and 19 are amended and 25-40 are newly added.
2. The previously pending 35 USC 112, second paragraph rejection drawn to claim 13 has been withdrawn.
3. The previously pending 35 USC 101 rejection drawn to claim 13 has been withdrawn.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
5. Authorization for this examiner's amendment was given in a telephone interview with Andrew T. Foy, registration number 57333, on 05/07/2009 at. It is further noted that the agreement was reached via a series of conversation that took place at various times from 04/17/2009 until 05/07/2009. The application has been amended as follows:

In the claims:

1-12. (Canceled)

13. (Currently amended) A computer-implemented method for determining preference information for a respondent, the method comprising:
accessing a computer memory storage system that stores information related to attributes that are characteristic of a type of product;

based on accessing the computer memory storage system, identifying attributes that are characteristic of the product from the computer memory storage system, each of the attributes identified from the computer memory storage system having different attribute levels that reflect different possible values for the attribute;

for each of multiple of the identified attributes that are characteristic of the product, ~~causing a display of displaying, using a processing element, a graphical user interface that presents selectable indications of multiple different attribute levels for the attribute and that enables the respondent to provide feedback regarding the different attribute levels for the attribute, wherein:~~

the graphical user interface includes a region that is identified as corresponding to unacceptable attribute levels, a region that is identified as corresponding to a least-preferred attribute level, a region that is identified as corresponding to a most-preferred attribute level, and a region that is identified as corresponding to intermediately-preferred attribute levels, and

the graphical user interface is configured to:

~~enable receive, from the respondent to designate respondent, an indication of a designation that an attribute level for the attribute [[as]] is an unacceptable attribute level for the attribute by selecting the selectable indication of the attribute level and dragging the selectable indication of the attribute level to the region of the graphical user interface identified as corresponding to unacceptable attribute levels for the attribute,~~

~~enable receive, from the respondent to designate respondent, an indication of a designation that an attribute level for the attribute [[as]] is a least-preferred attribute level for the attribute by selecting the selectable indication of the attribute level and dragging the selectable indication of the attribute level to the region of the graphical user interface identified as corresponding to the least preferred attribute level for the attribute,~~

~~enable receive, from the respondent to designate respondent, an indication of a designation that an attribute level for the attribute [[as]] is an intermediately preferred attribute level for the attribute by selecting the selectable indication of~~

the attribute level and dragging the selectable indication of the attribute level to the region of the graphical user interface identified as corresponding to intermediately preferred attribute levels for the attribute, and

enable receive, from the respondent to designate respondent, an indication of a designation that an attribute level for the attribute [[as]] is a most preferred attribute level for the attribute by selecting the selectable indication of the attribute level and dragging the selectable indication of the attribute level to the region of the graphical user interface identified as corresponding to the most preferred attribute level for the attribute;

for each of the multiple attributes, receiving, as a result of respondent interaction with the selectable indications of attribute levels for the attribute presented in the graphical user interface, respondent supplied designations for different attribute levels of the attribute, including at least a least-preferred attribute level for the attribute and a most-preferred attribute level for the attribute;

causing causing, using the processing element, the graphical user interface to request the respondent to identify, from among the multiple attributes, a group of attributes that represents attributes that are important to the respondent relative to other of the multiple attributes;

receiving, as a result of respondent interaction with the graphical user interface, indications of attributes, from among the multiple attributes, that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes;

based on receiving the indications of attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, sorting sorting, using the processing element, the multiple attributes into at least two different piles of attributes, the different piles being disjoint and a particular one of the piles including the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes;

causing causing, using the processing element, the graphical user interface to present to the respondent indications of the attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important

Art Unit: 3623

to the respondent relative to other of the multiple attributes and to request the respondent to provide a ranked order of the attributes belonging to the particular pile;

receiving, as a result of respondent interaction with the graphical user interface, an indication of a ranked order of the attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes;

based on receiving the indication of the ranked order of the attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes,
identifying identifying, using the processing element, a particular attribute as an attribute that is most important to the respondent;

for each attribute among a first subset of the attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, the subset excluding the most important attribute to the respondent and one or more other attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes,
causing causing, using the processing element, the graphical user interface to request the respondent to rate the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute level to the respondent;

for each attribute of the first subset of attributes, receiving, as a result of respondent interaction with the graphical user interface, an indication of the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute to the respondent;

for each attribute of the first subset of attributes, assigning assigning, using the processing element, a relative importance value to the attribute based on the received indication of the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute to the respondent;

for each attribute among a second subset of attributes, the second subset of attributes including attributes that belong to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes but that are not included in the first subset of attributes and excluding the most important attribute to the respondent, assigning assigning, using the processing element, a relative importance value to the attribute based on the ranking of the attribute within the ranked order of the attributes;

for each of at least some of the attribute levels of the attributes that belong to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, calculating calculating, using the processing element, a part worth value for the attribute level as a function of the respondent supplied designation for the attribute level and the relative importance value assigned to the attribute to which the attribute level corresponds; and

causing causing, using the processing element, the graphical user interface to display at least one of the calculated part worth values.

14-18. (Canceled)

19. (Previously presented) A device comprising:
a processor; and
a storage device in communication with the processor and storing instructions adapted to be executed by the processor to:

access a computer memory storage system that stores information related to attributes that are characteristic of a type of product;

based on accessing the computer memory storage system, identify attributes that are characteristic of the product from the computer memory storage system, each of the attributes identified from the computer memory storage system having different attribute levels that reflect different possible values for the attribute;

for each of multiple of the identified attributes that are characteristic of the product, cause a display of a graphical user interface that presents selectable indications of multiple different attribute levels for the attribute and that enables the respondent to provide feedback regarding the different attribute levels for the attribute, wherein:

the graphical user interface includes a region that is identified as corresponding to unacceptable attribute levels, a region that is identified as corresponding to a least-preferred attribute level, a region that is identified as corresponding to a most-preferred attribute level, and a region that is identified as corresponding to intermediately-preferred attribute levels, and

the graphical user interface is configured to:

enable the respondent to designate an attribute level for the attribute as an unacceptable attribute level for the attribute by selecting the selectable indication of the attribute level and dragging the selectable indication of the attribute level to the region of the graphical user interface identified as corresponding to unacceptable attribute levels for the attribute,

enable the respondent to designate an attribute level for the attribute as a least-preferred attribute level for the attribute by selecting the selectable indication of the attribute level and dragging the selectable indication of the attribute level to the region of the graphical user interface identified as corresponding to the least preferred attribute level for the attribute,

enable the respondent to designate an attribute level for the attribute as an intermediately preferred attribute level for the attribute by

selecting the selectable indication of the attribute level and dragging the selectable indication of the attribute level to the region of the graphical user interface identified as corresponding to intermediately preferred attribute levels for the attribute, and

enable the respondent to designate an attribute level for the attribute as a most preferred attribute level for the attribute by selecting the selectable indication of the attribute level and dragging the selectable indication of the attribute level to the region of the graphical user interface identified as corresponding to the most preferred attribute level for the attribute;

for each of the multiple attributes, receive, as a result of respondent interaction with the selectable indications of attribute levels for the attribute presented in the graphical user interface, respondent supplied designations for different attribute levels of the attribute, including at least a least-preferred attribute level for the attribute and a most-preferred attribute level for the attribute;

cause the graphical user interface to request the respondent to identify, from among the multiple attributes, a group of attributes that represents attributes that are important to the respondent relative to other of the multiple attributes;

receive, as a result of respondent interaction with the graphical user interface, indications of attributes, from among the multiple attributes, that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes;

based on receiving the indications of attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, sort the multiple attributes into at least two different piles of attributes, the different piles being disjoint and a particular one of the piles including the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes;

cause the graphical user interface to present to the respondent indications of the attributes belonging to the particular pile that includes the attributes that the respondent

identified as belonging to the group of attributes that important to the respondent relative to other of the multiple attributes and to request the respondent to provide a ranked order of the attributes belonging to the particular pile;

receive, as a result of respondent interaction with the graphical user interface, an indication of a ranked order of the attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes;

based on receiving the indication of the ranked order of the attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, identify a particular attribute as an attribute that is most important to the respondent;

for each attribute among a first subset of the attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, the subset excluding the most important attribute to the respondent and one or more other attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, cause the graphical user interface to request the respondent to rate the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute level to the respondent;

for each attribute of the first subset of attributes, receive, as a result of respondent interaction with the graphical user interface, an indication of the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to

the respondent and the respondent's most preferred attribute level for the most important attribute to the respondent;

for each attribute of the first subset of attributes, assign a relative importance value to the attribute based on the received indication of the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute to the respondent;

for each attribute among a second subset of attributes, the second subset of attributes including attributes that belong to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes but that are not included in the first subset of attributes and excluding the most important attribute to the respondent, assign a relative importance value to the attribute based on the ranking of the attribute within the ranked order of the attributes;

for each of at least some of the attribute levels of the attributes that belong to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, calculate a part worth value for the attribute level as a function of the respondent supplied designation for the attribute level and the relative importance value assigned to the attribute to which the attribute level corresponds; and

cause the graphical user interface to display at least one of the calculated part worth values.

20-24. (Canceled)

25. (Previously presented) The method of claim 13 further comprising:

defining the first subset of attributes to include, with the exception of the most important attribute to the respondent, some threshold percentage of the most highly ranked attributes within the ranked order of the attributes; and

defining the second subset of attributes to include each of the remaining attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes but that are not within the threshold percentage of the most highly ranked attributes.

26. (Previously presented) The method of claim 25, wherein:

defining the first subset of attributes to include, with the exception of the most important attribute to the respondent, some threshold percentage of the most highly ranked attributes within the ranked order of the attributes includes defining the first subset of attributes to include the top twenty percent of the ranked attributes within the ranked order of the attributes with the exception of the most important attribute to the respondent; and

defining the second subset of attributes to include each of the remaining attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes but that are not within the threshold percentage of the most highly ranked attributes includes defining the second subset of attributes to include the bottom eighty percent of the ranked attributes within the ranked order of the attributes.

27. (Currently amended) The method of claim 13, wherein:

causing, using the processing element and for each attribute among the first subset of attributes, the graphical user interface to request the respondent to rate the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute level to the respondent and receiving, for each attribute of the first subset of attributes, an indication of the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the

difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute to the respondent includes:

establishing a pre-defined period of time for receiving indications of the importance of the difference between the respondent's least and most preferred attribute levels for corresponding attributes relative to the difference between the respondent's least and most preferred attribute levels for the most important attribute to the respondent, and

causing the graphical user interface to request the respondent to rate the importance of the difference between the respondent's least and most preferred attribute levels for corresponding attributes that belong to the particular pile relative to the difference between the respondent's least and most preferred attribute level for the most important attribute to the respondent and receiving indications of the importance of the difference between the respondent's least and most preferred attribute levels for corresponding attributes that belong to the particular pile relative to the difference between the respondent's least and most preferred attribute levels for the most important attribute to the respondent until such time as a determination is made that the pre-defined period of time has expired; and

assigning a relative importance value to each attribute among the second subset of attributes based on the ranking of the attribute within the ranked order of the attributes includes assigning a relative importance value to each attribute belonging to the particular pile for which an indication of the importance of the difference between the respondent's least and most preferred attribute levels for the attribute relative to the difference between the respondent's least and most preferred attribute levels for the most important attribute to the respondent was not received before determining that the pre-defined period of time expired with the exception of the most important attribute to the respondent.

28. (Currently amended) The method of claim 13, wherein:
identifying identifying, using the processing element, attributes that are characteristic of the product from the computer memory storage system includes identifying identifying, using the

processing element, a particular attribute and attribute levels for the particular attribute that have pre-defined desirability rankings within a pre-defined desirability hierarchy for the particular attribute;

receiving, for each of the multiple attributes, respondent supplied designations for different attributes levels of the attribute includes receiving an unacceptable attribute designation for an attribute level of the particular attribute; and

the method further comprises:

identifying attribute levels of the particular attribute that have lower desirability rankings within the pre-defined desirability hierarchy for the particular attribute than the respondent-designated unacceptable attribute level of the particular attribute, and

automatically and without respondent designation, designating as unacceptable attribute levels for the particular attribute the attribute levels for the particular attribute identified as having lower desirability rankings within the pre-defined desirability hierarchy for the particular attribute than the respondent-designated unacceptable attribute level for the particular attribute.

29. (Previously presented) The method of claim 13, further comprising:

for each of the attribute levels of the multiple attributes for which respondent-supplied designations were received, assigning a quantifiable score to the attribute level based on the respondent-supplied designation for the attribute level, wherein calculating the part worth value for each of the at least some attribute levels includes multiplying the quantifiable score assigned to the attribute level based on the respondent-supplied designation for the attribute level by the relative importance value assigned to the attribute to which the attribute level corresponds.

30. (Previously presented) The device of claim 19, wherein the storage device further stores instructions adapted to be executed by the processor to:

define the first subset of attributes to include, with the exception of the most important attribute to the respondent, some threshold percentage of the most highly ranked attributes within the ranked order of the attributes; and

define the second subset of attributes to include each of the remaining attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes but that are not within the threshold percentage of the most highly ranked attributes.

31. (Previously presented) The device of claim 30, wherein:

the instructions adapted to be executed by the processor to define the first subset of attributes to include, with the exception of the most important attribute to the respondent, some threshold percentage of the most highly ranked attributes within the ranked order of the attributes include instructions adapted to be executed by the processor to define the first subset of attributes to include the top twenty percent of the ranked attributes within the ranked order of the attributes with the exception of the most important attribute to the respondent; and

the instructions adapted to be executed by the processor to define the second subset of attributes to include each of the remaining attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes but that are not within the threshold percentage of the most highly ranked attributes include instructions adapted to be executed by the processor to define the second subset of attributes to include the bottom eighty percent of the ranked attributes within the ranked order of the attributes.

32. (Previously presented) The device of claim 19, wherein:

the instructions adapted to be executed by the processor to cause, for each attribute among the first subset of attributes, the graphical user interface to request the respondent to rate the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute level to the respondent and to receive, for each attribute of the first subset of attributes, an indication of the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for

the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute to the respondent include instructions adapted to be executed by the processor to:

establish a pre-defined period of time for receiving indications of the importance of the difference between the respondent's least and most preferred attribute levels for corresponding attributes relative to the difference between the respondent's least and most preferred attribute levels for the most important attribute to the respondent, and

cause the graphical user interface to request the respondent to rate the importance of the difference between the respondent's least and most preferred attribute levels for corresponding attributes that belong to the particular pile relative to the difference between the respondent's least and most preferred attribute level for the most important attribute to the respondent and receive indications of the importance of the difference between the respondent's least and most preferred attribute levels for corresponding attributes that belong to the particular pile relative to the difference between the respondent's least and most preferred attribute levels for the most important attribute to the respondent until such time as a determination is made that the pre-defined period of time has expired; and

the instructions adapted to be executed by the processor to assign a relative importance value to each attribute among the second subset of attributes based on the ranking of the attribute within the ranked order of the attributes include instructions adapted to be executed by the processor to assign a relative importance value to each attribute belonging to the particular pile for which an indication of the importance of the difference between the respondent's least and most preferred attribute levels for the attribute relative to the difference between the respondent's least and most preferred attribute levels for the most important attribute to the respondent was not received before determining that the pre-defined period of time expired with the exception of the most important attribute to the respondent.

33. (Previously presented) The device of claim 19, wherein:

the instructions adapted to be executed by the processor to identify attributes that are characteristic of the product from the computer memory storage system include instructions that are adapted to be executed by the processor to identify a particular attribute and attribute levels for the particular attribute that have pre-defined desirability rankings within a pre-defined desirability hierarchy for the particular attribute;

the instructions adapted to be executed by the processor to receive, for each of the multiple attributes, respondent supplied designations for different attributes levels of the attribute include instructions adapted to be executed by the processor to receive an unacceptable attribute designation for an attribute level of the particular attribute; and

the storage device further stores instructions adapted to be executed by the processor to:

identify attribute levels of the particular attribute that have lower desirability rankings within the pre-defined desirability hierarchy for the particular attribute than the respondent-designated unacceptable attribute level of the particular attribute, and

automatically and without respondent designation, designate as unacceptable attribute levels for the particular attribute the attribute levels for the particular attribute identified as having lower desirability rankings within the pre-defined desirability hierarchy for the particular attribute than the respondent-designated unacceptable attribute level for the particular attribute.

34. (Previously presented) The device of claim 19, wherein:

the storage device further stores instructions adapted to be executed by the processor to assign, for each of the attribute levels of the multiple attributes for which respondent-supplied designations were received, a quantifiable score to the attribute level based on the respondent-supplied designation for the attribute level; and

the instructions adapted to be executed by the processor to calculate the part worth value for each of the at least some attribute levels include instructions adapted to be executed by the processor to multiply the quantifiable score assigned to the attribute level based on the respondent-supplied designation for the attribute level by the relative importance value assigned to the attribute to which the attribute level corresponds.

35. (Previously presented) A computer-readable storage medium storing a computer program, the computer program including instructions that, when executed, cause a computer to:

access a computer memory storage system that stores information related to attributes that are characteristic of a type of product;

based on accessing the computer memory storage system, identify attributes that are characteristic of the product from the computer memory storage system, each of the attributes identified from the computer memory storage system having different attribute levels that reflect different possible values for the attribute;

for each of multiple of the identified attributes that are characteristic of the product, cause a display of a graphical user interface that presents selectable indications of multiple different attribute levels for the attribute and that enables the respondent to provide feedback regarding the different attribute levels for the attribute, wherein:

the graphical user interface includes a region that is identified as corresponding to unacceptable attribute levels, a region that is identified as corresponding to a least-preferred attribute level, a region that is identified as corresponding to a most-preferred attribute level, and a region that is identified as corresponding to intermediately-preferred attribute levels, and

the graphical user interface is configured to:

enable the respondent to designate an attribute level for the attribute as an unacceptable attribute level for the attribute by selecting the selectable indication of the attribute level and dragging the selectable indication of the attribute level to the region of the graphical user interface identified as corresponding to unacceptable attribute levels for the attribute,

enable the respondent to designate an attribute level for the attribute as a least-preferred attribute level for the attribute by selecting the selectable indication of the attribute level and dragging the selectable indication of the attribute level to the region of the graphical user interface identified as corresponding to the least preferred attribute level for the attribute,

enable the respondent to designate an attribute level for the attribute as an intermediately preferred attribute level for the attribute by selecting the selectable

indication of the attribute level and dragging the selectable indication of the attribute level to the region of the graphical user interface identified as corresponding to intermediately preferred attribute levels for the attribute, and

enable the respondent to designate an attribute level for the attribute as a most preferred attribute level for the attribute by selecting the selectable indication of the attribute level and dragging the selectable indication of the attribute level to the region of the graphical user interface identified as corresponding to the most preferred attribute level for the attribute;

for each of the multiple attributes, receive, as a result of respondent interaction with the selectable indications of attribute levels for the attribute presented in the graphical user interface, respondent supplied designations for different attribute levels of the attribute, including at least a least-preferred attribute level for the attribute and a most-preferred attribute level for the attribute;

cause the graphical user interface to request the respondent to identify, from among the multiple attributes, a group of attributes that represents attributes that are important to the respondent relative to other of the multiple attributes;

receive, as a result of respondent interaction with the graphical user interface, indications of attributes, from among the multiple attributes, that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes;

based on receiving the indications of attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, sort the multiple attributes into at least two different piles of attributes, the different piles being disjoint and a particular one of the piles including the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes;

cause the graphical user interface to present to the respondent indications of the attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that important to the respondent relative to other of the

Art Unit: 3623

multiple attributes and to request the respondent to provide a ranked order of the attributes belonging to the particular pile;

receive, as a result of respondent interaction with the graphical user interface, an indication of a ranked order of the attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes;

based on receiving the indication of the ranked order of the attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, identify a particular attribute as an attribute that is most important to the respondent;

for each attribute among a first subset of the attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, the subset excluding the most important attribute to the respondent and one or more other attributes belonging to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, cause the graphical user interface to request the respondent to rate the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute level to the respondent;

for each attribute of the first subset of attributes, receive, as a result of respondent interaction with the graphical user interface, an indication of the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute to the respondent;

for each attribute of the first subset of attributes, assign a relative importance value to the attribute based on the received indication of the importance of the difference between the

respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute to the respondent;

for each attribute among a second subset of attributes, the second subset of attributes including attributes that belong to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes but that are not included in the first subset of attributes and excluding the most important attribute to the respondent, assign a relative importance value to the attribute based on the ranking of the attribute within the ranked order of the attributes;

for each of at least some of the attribute levels of the attributes that belong to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, calculate a part worth value for the attribute level as a function of the respondent supplied designation for the attribute level and the relative importance value assigned to the attribute to which the attribute level corresponds; and

cause the graphical user interface to display at least one of the calculated part worth values.

36. (Previously presented) The computer-readable storage medium of claim 35, wherein the computer program further includes instructions that, when executed, cause a computer to:

define the first subset of attributes to include, with the exception of the most important attribute to the respondent, some threshold percentage of the most highly ranked attributes within the ranked order of the attributes; and

define the second subset of attributes to include each of the remaining attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes but that are not within the threshold percentage of the most highly ranked attributes.

37. (Previously presented) The computer-readable medium of claim 36, wherein:

the instructions that, when executed, cause a computer to define the first subset of attributes to include, with the exception of the most important attribute to the respondent, some threshold percentage of the most highly ranked attributes within the ranked order of the attributes include instructions that, when executed, cause a computer to define the first subset of attributes to include the top twenty percent of the ranked attributes within the ranked order of the attributes with the exception of the most important attribute to the respondent; and

the instructions that, when executed, cause a computer to define the second subset of attributes to include each of the remaining attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes but that are not within the threshold percentage of the most highly ranked attributes include instructions that, when executed, cause a computer to define the second subset of attributes to include the bottom eighty percent of the ranked attributes within the ranked order of the attributes.

38. (Previously presented) The computer-readable medium of claim 35, wherein:

the instructions that, when executed, cause a computer to cause, for each attribute among the first subset of attributes, the graphical user interface to request the respondent to rate the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute level to the respondent and to receive, for each attribute of the first subset of attributes, an indication of the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute to the respondent include instructions that, when executed, cause a computer to:

establish a pre-defined period of time for receiving indications of the importance of the difference between the respondent's least and most preferred attribute levels for

corresponding attributes relative to the difference between the respondent's least and most preferred attribute levels for the most important attribute to the respondent, and

cause the graphical user interface to request the respondent to rate the importance of the difference between the respondent's least and most preferred attribute levels for corresponding attributes that belong to the particular pile relative to the difference between the respondent's least and most preferred attribute level for the most important attribute to the respondent and receive indications of the importance of the difference between the respondent's least and most preferred attribute levels for corresponding attributes that belong to the particular pile relative to the difference between the respondent's least and most preferred attribute levels for the most important attribute to the respondent until such time as a determination is made that the pre-defined period of time has expired; and

the instructions that, when executed, cause a computer to assign a relative importance value to each attribute among the second subset of attributes based on the ranking of the attribute within the ranked order of the attributes include instructions adapted to be executed by the processor to assign a relative importance value to each attribute belonging to the particular pile for which an indication of the importance of the difference between the respondent's least and most preferred attribute levels for the attribute relative to the difference between the respondent's least and most preferred attribute levels for the most important attribute to the respondent was not received before determining that the pre-defined period of time expired with the exception of the most important attribute to the respondent.

39. (Previously presented) The computer-readable medium of claim 35, wherein:

the instructions that, when executed, cause a computer to identify attributes that are characteristic of the product from the computer memory storage system include instructions that are adapted to be executed by the processor to identify a particular attribute and attribute levels for the particular attribute that have pre-defined desirability rankings within a pre-defined desirability hierarchy for the particular attribute;

the instructions that, when executed, cause a computer to receive, for each of the multiple attributes, respondent supplied designations for different attributes levels of the attribute include

instructions adapted to be executed by the processor to receive an unacceptable attribute designation for an attribute level of the particular attribute; and

the computer program further includes instructions that, when executed, cause a computer to:

identify attribute levels of the particular attribute that have lower desirability rankings within the pre-defined desirability hierarchy for the particular attribute than the respondent-designated unacceptable attribute level of the particular attribute, and

automatically and without respondent designation, designate as unacceptable attribute levels for the particular attribute the attribute levels for the particular attribute identified as having lower desirability rankings within the pre-defined desirability hierarchy for the particular attribute than the respondent-designated unacceptable attribute level for the particular attribute.

40. (Previously presented) The computer-readable medium of claim 35, wherein:
the computer program further includes instructions that, when executed, cause a computer to assign, for each of the attribute levels of the multiple attributes for which respondent-supplied designations were received, a quantifiable score to the attribute level based on the respondent-supplied designation for the attribute level; and

the instructions that, when executed, cause a computer to calculate the part worth value for each of the at least some attribute levels include instructions that, when executed, cause a computer to multiply the quantifiable score assigned to the attribute level based on the respondent-supplied designation for the attribute level by the relative importance value assigned to the attribute to which the attribute level corresponds.

Reasons for Allowance

6. Claims 13, 19, and 25-40 are allowed
7. The following is an Examiner's statement of reasons for allowance

In regards to independent claims 13, 19 and 35 none of the prior art of record, taken individually or in any combination, teach inter alia, "for each attribute of the first subset of attributes, assigning, using the processing element, a relative importance value to the attribute based on the received indication of the importance of the difference between the respondent's least preferred attribute level for the attribute and the respondent's most preferred attribute level for the attribute relative to the difference between the respondent's least preferred attribute level for the most important attribute to the respondent and the respondent's most preferred attribute level for the most important attribute to the respondent

for each attribute among a second subset of attributes, the second subset of attributes including attributes that belong to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes but that are not included in the first subset of attributes and excluding the most important attribute to the respondent, assigning, using the processing element, a relative importance value to the attribute based on the ranking of the attribute within the ranked order of the attributes;

for each of at least some of the attribute levels of the attributes that belong to the particular pile that includes the attributes that the respondent identified as belonging to the group of attributes that are important to the respondent relative to other of the multiple attributes, calculating, using the processing element, a part worth value for the attribute level as a function of the respondent supplied designation for the attribute level

Art Unit: 3623

and the relative importance value assigned to the attribute to which the attribute level corresponds."

8. The prior art reference most closely resembling Applicant's claimed invention are Johnston et al. (US Patent 6,826,541) in view McCullough (Trade Analysis: A Survey of Commercially Available Techniques, published 03/03/2000).

Johnston teaches a method, system and computer program for facilitating a user choice among a complex of alternatives using conjoint analysis, wherein the "features of real products are evaluated and levels are created so that all products can be compared by the application in a purely objective basis . . . after the user completes the process of selecting attributes features of the product making importance of difference decisions, and then trade-off decisions, the application presents results to the user." (col. 4, lines 53-61) and ""as values input by that individual to measure his degree of attraction to either of two- "attribute" alternatives. . . while the "user" provides the relative degree to which he/she prefers one "best/worst" "alternative" to the other, the algorithm for deriving "final estimates importances" interprets these responses as the mathematical difference in the "importances" of the two "attributes"." (col. 12, lines 48-55). However Johnston does not teach a first subset or a second subset nor the calculation of calculating, using the processing element, a part worth value for the attribute level.

McCullough teaches a survey of commercially available techniques in the area of trade of analysis, wherein "sort[ing] a stack of new product concept cards into two piles: would definitely buy and would not buy. Note: Stack would contain several existing

Art Unit: 3623

products as reference. Have them rank order the would buy pile on a continuum from most want to buy to least want to buy. Note if the number of items to be sorted is too large for one sorting exercise the task can be broken down into several smaller exercises . . . a bridging technique can be used to incorporate the data from the separate exercises into one rank ordering of all the items." (page 7). However McCullough does not teach calculating, using the processing element, a part worth value for the attribute level.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FOLASHADE ANDERSON whose telephone number is (571)270-3331. The examiner can normally be reached on Monday through Thursday 8:00 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Folashade Anderson/
Examiner, Art Unit 3623

/Andre Boyce/
Primary Examiner, Art Unit 3623